

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

OCT 24 2014

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Gamaliel Marmolejo-Mendez PRINCIPAL  
A202 127 315 YOB: 1992  
Mexico

Case Number:

M-14-2064-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 23, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Eliseo Pedro Tacam-Alvarez and Gustavo Adolfo Najarro-Arana, citizens and nationals of Guatemala, along with twelve (12) other undocumented aliens, for a total of fourteen (14), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport by foot said aliens in furtherance of such violation of law within the United States, that is, from a location near Donna, Texas to the point of arrest near Donna, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 23, 2014, Weslaco Border Patrol Agents were performing line watch duties near Donna, Texas. At approximately 7:00 a.m., Agents apprehended a group of 16 subjects. All subjects were determined to be undocumented aliens illegally present in the United States and transported to the McAllen Border Patrol Station for processing.

Once at the station, through interviews, Gamaliel MARMOLEJO-Mendez and P.E.A.M were identified as the foot guides of the group. P.E.A.M was not prosecuted because he was a minor. MARMOLEJO and P.E.A.M. were also the only Mexican nationals within the group.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by  
Joseph T. Leonard

  
Signature of Complainant

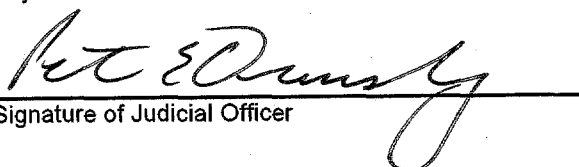
Michael Chandler Senior Patrol Agent  
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

October 24, 2014  
Date

at McAllen, Texas  
City and State

Peter E. Ormsby U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-2064-M**

**RE: Gamaliel Marmolejo-Mendez**

**A202 127 315**

**CONTINUATION:**

**PRINCIPAL'S STATEMENT:**

**Gamaliel MARMOLEJO-Mendez** was read his rights. He stated he did not wish to make a statement without the presence of an attorney.

**MATERIAL WITNESSES' STATEMENTS:**

Both material witnesses were read their rights. Both stated they were willing to provide statements without the presence of an attorney.

1-Eliseo Pedro TACAM-Alvarez stated that he is a citizen and national of Guatemala. He was going to pay approximately \$8,000 in smuggling fees once he arrived to Houston, Texas. On the evening of October 22, 2014, his group was transported from a stash house in Reynosa, Tamaulipas to the Rio Grande River. Once they arrived at the river, MARMOLEJO and another individual were waiting for them. MARMOLEJO and the other individual smuggled them by raft across the river into the United States. Once in the U.S., MARMOLEJO and the other individual instructed the group to follow them. They followed them through the brush for about two hours until Border Patrol apprehended them. Both foot guides were apprehended with the group as well. TACAM identified MARMOLEJO in a photo lineup as one of the foot guides of the group. TACAM further stated the MARMOLEJO was wearing a camouflage jacket.

2- Gustavo Adolfo NAJARRO-Arana stated that he is a citizen and national of Guatemala. He paid \$2,500 in Guatemala and was going to pay an additional \$4,500 in smuggling fees upon reaching his final destination in the United States. On October 22, 2014, his group was smuggled by raft into the United States. NAJARRO identified MARMOLEJO in a photo lineup as one of the foot guides of the group. Once at the river, MARMOLEJO instructed the group that he was going to be the brush guide and to listen to his commands. Once in the U.S., they walked until they were apprehended by Border Patrol.